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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 8th June, 1966/Jyaistha 18, 1888 (Saka)

THE ANDAMAN AND NICOBAR ISLANDS (REGULATION OF TRAFFIC AND PRESERVATION OF ORDER IN PUBLIC PLACES) REGULATION, 1966

No. 1 OF 1966

Promulgated by the President in the Seventeenth Year of the Republic of India.

A Regulation to provide for the regulation of traffic and the preservation of order in public places and for matters connected therewith in the Union territory of the Andaman and Nicobar Islands.

In exercise of the powers conferred by clause (1) of article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him :—

1. (*1*) This Regulation may be called the Andaman and Nicobar Islands (Regulation of Traffic and Preservation of Order in Public Places) Regulation, 1966. Short title, extent and commencement

(2) It extends to the whole of the Union territory of the Andaman and Nicobar Islands.

(3) It shall come into force in the Port Blair municipal area at once and in any other area on such date as the Chief Commissioner may, by notification in the Official Gazette, specify in respect of that area.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

(a) "cattle" includes elephants, camels, horses, asses, mules, sheep goats and swine;

(b) "Chief Commissioner" means the Chief Commissioner of the Andaman and Nicobar Islands;

(c) "Official Gazette" means the Andaman and Nicobar Gazette;

(d) "place" means any area whether open or enclosed and includes a building, a tent, a booth or other erection, whether permanent or temporary;

(e) "place of public amusement" means any place where music, singing, dancing, or any diversion or game, or the means of carrying on the same, is provided and to which the public are admitted either on payment of money or with the intention that money may be collected from those admitted and includes a race course, circus, theatre, music hall, billiard room, bagatelle room, gymnasium, fencing school, swimming pool or dancing hall;

(f) "place of public entertainment" means any place to which the public are admitted, and where any kind of food or drink is supplied for consumption on the premises by any person owning, or having an interest in, or managing, such place and includes a refreshment room, eating-house, coffee-house, liquor-house, boarding-house, lodging-house, hotel, tavern, or wine, beer, spirit, arrack, toddy, ganja, bhang or opium shop or a shop where any kind of food or drink is supplied to the public for consumption in or near such shop;

(g) "public place" includes the precincts of every public building or monument, and all places accessible to the public for drawing water, washing or bathing or for the purpose of re-creation;

(*h*) "street" includes any highway, bridge, way over a causeway, viaduct, arch or any road, lane, footway, square, court, alley or passage accessible to the public, whether a thoroughfare or not;

(*i*) "vehicle" means any carriage, cart, van, dray, truck, hand cart or other conveyance of any description and includes a bicycle, a tricycle, a rickshaw, an automatic car, a vessel or an aeroplane.

Power to make rules for regulation of traffic, preservation of order in public place, etc.

3. (*1*) The District Magistrate may make rules,—

(*a*) with a view to preventing danger, obstruction or inconvenience to the public, for regulating traffic of all kinds in streets and public places, and the use of streets and public places by persons—

(*i*) riding, driving, cycling or walking; or

(*ii*) leading or accompanying cattle;

(*b*) for regulating the conditions under which vehicles may remain standing in streets and public places, and the use of streets as halting places for vehicles or cattle;

(*c*) for prescribing the number and position of lights to be used on vehicles in streets and the hours between which such lights shall be used;

(*d*) for licensing, controlling or, in order to prevent the obstruction, inconvenience, annoyance, risk, danger or injury that may be caused to the residents or passengers in the vicinity, prohibiting the playing of music, the beating of drums, tom-toms or other instruments, the blowing or sounding of horns or other noisy instruments and the use of sound amplifiers in or near streets or public places;

(*e*) for regulating the conduct, behaviour or action of persons constituting assemblies and processions on or along the streets and prescribing in the case of processions, the routes by which, the order in which and the times at which, the same may pass;

(*f*) (*i*) for licensing or otherwise controlling places of public amusement or entertainment;

(*ii*) for prohibiting the keeping of places of public amusement or entertainment or assembly, in order to prevent obstruction, inconvenience, annoyance, risk, danger or injury to the residents or passengers in the vicinity;

(*iii*) for regulating the means of entrance and exit at places of public amusement or entertainment or assembly, and providing for the maintenance of public safety and the prevention of disturbance thereat;

(*g*) for prescribing the procedure for making an application for the grant of a licence or permission required under this Regulation and the levy of fees therefor:

Provided that nothing in this section and no licence granted under any rule made thereunder shall in any way affect the provisions of the Explosives Act, 1884, or of the Arms Act, 1959, or of any rules made under them, or the liability of any person thereunder: 4 of 1884. 54 of 1959.

Provided further that any action taken under the rules made under this section or the grant of a licence made under such rules shall be subject to the control and supervision of the Chief Commissioner:

Provided also that the power to make rules under this sub-section except under clauses (*a*) and (*b*) thereof shall be subject to the previous sanction of the Chief Commissioner.

(*2*) The power to make rules under this section shall be subject to the condition of the rules being made after previous publication, and every rule made under this section shall be published in the Official Gazette and in the locality affected thereby by affixing copies thereof in conspicuous places near to the building, structure, work or place as the case may be, to which the same specially relates, or by proclaiming the same by the beating of drum or by advertising the same in such local newspapers in English, or in the local language, as the District Magistrate may deem fit or by any two or more of these or any other means he may think suitable:

Provided that any such rules may be made without previous publication, if the District Magistrate is satisfied that circumstances exist which render it necessary that such rules should be brought into force at once.

(*3*) Notwithstanding anything hereinbefore contained in this section or which may be contained in any rules made thereunder, it shall always be lawful for the competent authority under the said rules to refuse a licence for, or to prohibit the keeping of any place of public amusement or entertainment by a person of notoriously bad character.

(4) It shall be the duty of all persons concerned to conform to any rule duly made as aforesaid so long as the same shall be in operation.

Penalty for contravening rules under section 3.

4. Whoever—

(*a*) contravenes any rule made under section 3 or any of the conditions of a licence issued under such rule, or

(*b*) abets such contravention,

shall, on conviction, be punished—

(*i*) in the case of contravention or abetment of contravention of any rule made under clause (*c*) of sub-section (*1*) of section 3, with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, or with both;

(*ii*) in the case of contravention or abetment of contravention of any rule made under clause (*d*) or clause (*e*) of sub-section (*1*) of section 3, with fine which may extend to two hundred rupees;

(*iii*) in the case of contravention or abetment of contravention of any rule made under clause (*a*) of sub-section (*1*) of section 3, if, and in so far as, such rule prohibits the sale or exposure for sale of any goods on any street or portion thereof so as to cause obstruction to traffic or inconvenience to the public—

(*a*) for the first offence, with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both, and

(*b*) for a subsequent offence, with imprisonment for a term which may extend to six months and with fine which may extend to five hundred rupees; and

(*iv*) in the case of contravention or abetment of contravention of any rule made under any other clause of sub-section (*1*) of section 3, with fine which may extend to fifty rupees.

Offences to be cognizable, bailable and triable by second class magistrate.

5. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence under this Regulation shall be cognizable, bailable and triable by a magistrate of the second class.

5 of 1898.

Prosecution of offences under other laws not affected.

6. Nothing in this Regulation shall be construed to prevent any person from being prosecuted and punished under any other law for any act made punishable by this Regulation or from being prosecuted and punished under this Regulation for any act made punishable under any other law, provided that all such cases shall be subject to the provisions of section 403 of the Code of Criminal Procedure, 1898. 5 of 1898.

Protection of action taken in good faith.

7. No suit, prosecution or other legal proceeding shall lie against the Chief Commissioner or any officer or authority of the Union territory of the Andaman and Nicobar Islands for anything which is in good faith done or intended to be done in pursuance of this Regulation or any rule made thereunder.

S. RADHAKRISHNAN,
President.

S. P. SEN-VARMA,
Secy. to the Govt. of India.

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